(c) whether it is also a fact that the officers suspended due to being found guilty after the raids have already been reinstated in Government service even before their acquittal by the courts; and

(d) if so, the number of such officers during each of the above years?

THE MINISTER OF STATE INTHE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATIVASUNDHARA RATE): (a) and (b) The raids conducted by the Central Bureau of Investigation (CBI) aim at collecting evidence in an enquiry/investigation. An officer cannot be pronounced guilty only because of a raid by the CBI and the matter is decided as per the rules by the Court/Disciplinary Authority. However, the CBI searched the premises of following number of officers belonging to All India & others Central/Allied Services during the last three years:—

1999	—	20
2000	—	22
2001	—	44

(c) and (d) Suspension from service is resorted to for stopping an officer from influencing the outcome of an inquiry. As such, suspension is not regarded as a penalty. On a review, whenever the Disciplinary Authority is satisfied that the apprehension of tampering with evidence no longer exists, the suspension is revoked but the inquiry/investigation/trial continues, uninterrupted. The Disciplinary Authority of the respective administrative Ministry/Department has to decide the issue of reinstatement of an officer placed under suspension. Such figures are not centrally maintained.

Charge-sheet issued by discharged officers

†868. SHRIVIJAY SINGH YADAV: Will the any PRIME MINISTER be pleased to state:

(a) whether any discharged officer can issue a charge sheet to his ex-subordinate staff for any misconduct;

(b) if so, the details of the provisions as such; and

(c) if not, the legal status of such a charge sheet?

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†Original notice of the question was received in Hindi.

THE MINISTER OF STATE INTHE MEMISTRYOF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMAT1 VASUNDHARA RAJE): (a) to (c) A discharged officer cannot exercise the powers of that post after his discharge. Hence after an officer is discharged, he cannot legally charge-sheet his ex-subordinate employee for any mis-conduct.

Promotion of promotee Section Officers

869. SHRIBRATIN SENGUPTA: Will the PRIME MINISTER be pleased to state:

(a) whether Direct Recruit Section Officers of CSS are still being promoted as Under Secretary on their becoming eligible while promotee Section Officers with much longer years of service have to wait for their turn;

(b) the factual position in this behalf;

(c) whether the direct recruits are still being allowed anti-dated seniority by virtue of their appointment against the confirmed post, if so, whether this procedure has since been done away with; if not, the reasons therefor;

(d) till when this situtation is likely to continue; and

(e) the measures taken by Government so far, for resolving this anomaly?

THE MINISTER OF STATE JNTHE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCESAND PENSIONS (SHRIMATI VASUNDHARA RAJE): (a) Yes, Sir.

(b) to (e) According to the relevant provisions of the Central Secretariat Service (CSS) Rules, 1962 and regulations issued there-under (as they stood immediately prior to 24.02.1999), the Direct Recruit (DR) Section Officers (SOs) and SOs who were promoted to the grade on regular basis against substantive vacancies were assigned *inter se* seniority according to the quotas of substantive vacancies in the grade reserved for direct recruitment and promotion respectively. While the DR Section Officers were initially appointed against substantive vacancies, the promotees on the other hand, before thier appointment against substantive vacancies, used to render a number of years of service against regular and temporary vacancies, which did not qualify for seniority purposes. Since *inter-se* senioirity in the grade was determined on the basis of apointment against substantive vacancies only, the DR Section Officers got the benefit of seniorityvis-a-vis promotee Section Officers. The Government for resolving this anomaly has made suitable amendments in the CSS Rules regarding delinking of confirmation from availability of permanent posts, and the same were notified on 24.2.1999 and made applicable prospectively.